

Examiner-Initiated Interview Summary	Application No.	Applicant(s)	
	09/816,989	GAD ET AL.	
	Examiner	Art Unit	
	Phuong Huynh	1644	

All Participants:

Status of Application: _____

(1) Phuong Huynh.

(3) _____.

(2) Gary J. Gershik.

(4) _____.

Date of Interview: 28 January 2004

Time: _____

Type of Interview:

- ☒ Telephonic
☐ Video Conference
☐ Personal (Copy given to: ☐ Applicant ☐ Applicant's representative)

Exhibit Shown or Demonstrated: ☐ Yes ☐ No
 If Yes, provide a brief description:

Part I.

Rejection(s) discussed:

Enablement and written description under 35 USC 112 first paragraph.

Claims discussed:

123-124, 127, 132-133 and 152-157

Prior art documents discussed:


Part II.

SUBSTANCE OF INTERVIEW DESCRIBING THE GENERAL NATURE OF WHAT WAS DISCUSSED:

See Continuation Sheet

Part III.

- ☐ It is not necessary for applicant to provide a separate record of the substance of the interview, since the interview directly resulted in the allowance of the application. The examiner will provide a written summary of the substance of the interview in the Notice of Allowability.
☒ It is not necessary for applicant to provide a separate record of the substance of the interview, since the interview did not result in resolution of all issues. A brief summary by the examiner appears in Part II above.


 (Examiner/SPE Signature)

 (Applicant/Applicant's Representative Signature – if appropriate)

Continuation of Substance of Interview including description of the general nature of what was discussed: 1. The term "mammal" in Claim 123, lines 1, 3, and 8, and claim 133, lines 1, 3 and 9 needs to be limited to "human" because the specification discloses only a method of treating human using the mouse model.

2. The term "having an amino acid sequence set forth" in claim 123, lines 5-6 should be replaced with "having the amino acid sequence of which is set forth"

3. Claim 127 should be rewritten to "The method of claim 123, wherein the amino acid sequence is set forth in SEQ ID NO: 2."

4. Claim 132 should be rewritten to "The method of claim 123, wherein the amino acid sequence is set forth in SEQ ID NO: 7."

5. Claims 152-153, 155-156 and 157 should be canceled or replace the word "mammal" with "mouse" because the specification discloses only delaying the onset of multiple sclerosis in mouse where EAE is induced. Since it is induced, the onset of multiple sclerosis is known to happen. However, it is not so clear cut in species such as human. There is insufficient guidance as how to predict which person within the population would afflict with multiple sclerosis (MS), let alone which one within the genus of mammal will afflict with MS.